*C R S App 4 IX 4]

194

Mt File No. Mat-4.

Previous References

(2nd Mt

Serial Nos 22-23

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 9

Part B for Oct-r 43

SUBJECT

Conveyance allowance to the President of the Chickaballapur Town Municipal Council

To

The D C Kolar Dist-

The Comptl-llr

No L 4036-7 dated 11-10-43

Sanctions the recommendation of the D-C Kolar Dist-

Thus

Letter No A 5 C 618/43 dated 21st Sep 1943 from the Deputy Commissioner, Kolar District requesting Sanction to the resolution of The Municipal Council, Chickballapur re Sanction ~~of~~ Conveyance to pay an allowance of Rs 50/- p m to the President of the municipality

1) While Recommending the resolution of the municipal Council, the Deputy Commissioner States that as it is, the resolution refers to all the presidents at all times and that this is opposed to Section 23(14) of the Town Municipalities' Act The Act States that the municipal council "may Sanction from time to time with the approval of the Government

2) ~~Perhaps~~ A Staff G O will may be put up, if approved, agreeing with the D C's Submitted for orders

HSK 25 9 43 3) Agreed

25/9/43.

4) Submitted with a draft G O for approval

HSK 25 9 43 5) The ~~secretary~~ Secretary to ~~Govt~~ Govt may kindly see Sec 23(14) of the T M Act

The D C's letter appears to be correct as in the case of the Presidents of Taluk Boards it was held that every time there is a change in the incumbency of these posts owing to the reconstitution Election of Govt should be moved afresh for the payment of the conveyance allowance for these posts

6) Necessary Sanction may be issued

Law Secy 25/9/43

7) May be purchased as the Sanction appears to be necessary in the case of each purchase

Under 27-E 43 (1)

Under 2-S G

8) Sanction I have no objection to the proposed modification being carried out

Ltr 3 10 43

Ltr 4-10 43

9) 1) I have no objection to the proposed 4/10/43 (2)

To,

The D c Kolaba

The Comptroller

No 2 4 0 3 6 - 7 dt 11 10 43

Sanctions the proposal (4)

3) Returned with reference to para 9 (2) supra

Mem 14/10 HV: KB (3)

11) 01 I cannot do previously law Opinion note on the point, as ordered by the Minister dtd above

for HV 43

12) Sub Section (14) of Section 23 of the Mysore Town Municipalities Act is so loose in its intent that any unscrupulous Council may misuse the power of granting a

OFFICE OF THE MINISTER FOR L S G & P H
D to 22 7 43
No 2139

monthly
~~Conveyance~~ allowance to its president or vice President either by voting an unreasonable amount or reducing ~~the amount~~ it to a nominal sum or not voting at all a statutory provision giving or honorarium of the President or Vice President the remuneration at some amount in consonance with the financial position of the municipality & fitting with the dignity decorum and Status of the post ~~President or Vice President~~ seems to be salutary and necessitate a modification of Sub clause (14) of Section 23 of the Cantonment Act

15/10 13) Cl perhaps the LB Circular referred to at 13 Supra (Para 17 Note)

14) Submitted ; Circular LB 45-41-33 referred to a at B in para 5 Supra is Pol Asp

17 20/10 ~~Vol~~ it is held in the case of the grant of conveyance allowance to the President & Vice President of ~~Cantonment~~ Boards that fresh sanction to the Board by the Govt as necessary for the payment of the conveyance allowance to them every time a Board is reconstituted it would perhaps be desirable both for the Govt & the Boards

vide O.M. No L 5711-20/LB 45-41-33 B 9 12 42 (Dep R)

and as a matter of principle to lay down that on the case of Previous three Presidents of Municipalities, the monthly allowance to be paid should be sanctioned by the Municipal at every time a Municipal is reconstituted instead of making a resolution passed by a Municipal at sometime applicable in perpetuity as a matter of fact, in the case of Bangalore City, every year when a fresh President or fresh vice-President are elected, a recommendation is made by the Municipal to sanction the payment of the allowances to them. This gives the Municipals concerned an opportunity to have their say in the matter, and consistent with the financial condition of the City, it might be varied for the above reasons, it is for consideration if the present practice in this respect might not be kept undisturbed whereas however rule on this subject, except the Section 23(14) of the D.M. Act provides - reference from Government

S 23(14) of the Town Municipalities Act gives discretion to

Payment of conveyance allowance to Hon. President, Municipal Council, Chief Magistrate

Continuation Sheet

File No
Current No. Mud (c) of 43 Page

a Municipal Council to sanction such monthly allowance as it considers necessary to the President on his retirement — the discretion to consider the matter whenever a new Council is constituted being conferred by the Statute Council Law changed by a Rule

OFFICE OF THE MINISTER FOR L S G & P H
Dat 26/10/1973
N 2628

Mun Sec 2 SG

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26-10-73
Ar
26/10/73

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27/10/73

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27-10-73

for
27/10/73

Submit a draft letter for the Hon'ble Minister's approval

28/10

No reply is necessary
The question raised is of academic interest
This may be recorded

for
2/11/73

By JM
2/11/73

Continuation Sheet	File No / Current No	of	Page

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ml 4-43-22

GOVERNMENT OF MYSORE

OFFICE OF
The Deputy Commissioner,
Kolar District

No A 5 C 618/43
Encl

Date 21st September 1943

MEMO

To

The Secretary to the Government of Mysore,
Law Department, BANGALORE

SECY LAW DEPT
24 SEP 1943
GEN & OTHERS
1977/4
L S G BRANCH

Sir,

In forwarding herewith a copy of the resolution passed by the Municipal Council, Chickballapur, at their meeting dated 28/8/1943 regarding sanction of a conveyance allowance to the President, I have the honour to request that sanction of Government may kindly be ~~obtained~~ conveyed to pay an allowance of Rs 50/- per mensem to Mr V Venkataswami Chetty, President, during the term of his office as President in the present constitution The proposal to sanction payment of the allowance permanently to the President of the Municipality without reference to the individual holding the office appears to be not desirable as such a course appears to be opposed to the spirit of Section 23 (14) of the Town Municipalities Act

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy-Commissioner,
Kolar District

dpr

(Absent from Head Q tees)

Town Hall -

XX XX XX XX XX

XIV Subject - Conveyance allowance of Rupees 50/- per mensum to be sanctioned to the Non-official Presidents of this Municipality -

Resolution - Unanimously resolved that the conveyance allowance referred to may be sanctioned and sanction of Government may be obtain for the same

XX XX XX XX XX

Sd/- V Venkatasamy Chetty
President

" Extract '

V. Venkatasamy Chetty
President
Town Municipal Council
Chikballapur

30-8-43

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to 1977/2

General and Revenue Secretariat

( )

the *19*

Date of issue 11 10 1943

Signed by Rec GR Rao

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the Press ?

(vi) published in the Gazette Kannada Part ?

Read

Section ml

File No 4-43

Serial No 23

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

Letter No A-5 C-618/43 dated 21st September 1943 from the Deputy Commissioner, Kolar District recommending Sanction to the resolution dated 28th Aug 1943 of the Municipal Council, Chickballapur that a Conveyance allowance of Rs 50/- p m be paid ~~Order thereon.—No~~ ~~to Mr. V Venkata Swamy Chetty~~ the President, Municipal Council, Chickballapur, and adding ~~thereby~~ that the proposal to Sanction permanently payment of the allowance to the President of the Municapality without reference to the Individual

holding the office appears to be opposed to the Spirit of Section 23(14) of the Mysore Town Municipalities Act 1964

Order No L 4036-7 dated 11.10.43

The recommendation of the Deputy Commissioner, Kolar District that a Conveyance allowance of Rs 50/- p.m. may be paid with effect from the date of his taking charge to Mr V Venkataswamy Chetty, President, Chickballapur Town Municipal Council during the term of his office as ~~President of the Chickballapur Town Municipal Council~~ such is sanctioned

27/7

for Secretary to Govt,
Law Department.

List of Enclosures

To The Deputy Commissioner, Kolar District ✓
The Comptroller to Government ✓

Copied by
Examined by

WD 03696- GPB—30 000 2 2 40